

The Administrative Law Judge denied claimant benefits in this proceeding. The claimant has appealed and alleges that she has experienced an injury to her lower

extremities as a result of her work activities while employed by the respondent for which she is entitled workers compensation benefits. The issue now before the Appeals Board is whether the claimant is entitled any benefits for alleged injury or occupational disease.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Having reviewed the entire record, the Appeals Board finds as follows:

(1) The Award of Administrative Law Judge George R. Robertson dated January 6, 1994, should be affirmed in all respects. The evidence fails to establish that claimant has experienced permanent injury to her legs as a result of her work activities with the respondent.

Claimant alleges that she sustained injury to both legs during the period of July through October 5, 1992. In July of 1992, claimant worked as a machine operator for the respondent and stood all day on her feet. In July of 1992, claimant's legs began to swell and became discolored and painful. From July 1992 through October 5, 1992, claimant's symptoms worsened and she developed ulcers on both legs.

The uncontroverted medical testimony of Daniel Hein, M.D., indicates that during the period in question claimant developed both contact and stasis dermatitis. Contact dermatitis is an allergic reaction caused by an irritant. Stasis dermatitis is a symptom of venous insufficiency which is the result of veins losing their ability to return blood to the central circulatory system causing the blood to pool in the lower extremities causing swelling and edema which eventually results in the breakdown of the skin due to the improper blood flow. Venous insufficiency leads to various symptoms such as edema, dermatitis and ulcers.

The evidence is uncontroverted that the underlying condition of venous insufficiency was not caused by claimant's work. However, prolonged standing may temporarily worsen or exacerbate the related symptomatology. Therefore, the Appeals Board finds that claimant's prolonged standing in July through October 5, 1992, temporarily caused a flare-up in the symptoms associated with the venous insufficiency. As there has not been a worsening, aggravation, acceleration, or intensification, permanent in nature, claimant is not entitled to permanent partial disability benefits for venous insufficiency or stasis dermatitis.

The uncontroverted testimony of Dr. Hein also indicates that claimant had contact dermatitis during the period in question. However, the evidence fails to establish that it is more probable than not that the contact dermatitis was caused or aggravated by claimant's work activities. Therefore, the Appeals Board must deny benefits for this contact dermatitis condition also.

(2) The Appeals Board hereby adopts any and all findings and conclusions set forth by Administrative Law Judge George R. Robertson in his Award of January 6, 1994, that are not inconsistent with the findings and conclusions as specifically set forth herein.

AWARD

WHEREFORE, it is the finding, decision and order of this Appeals Board that the Award of Administrative Law Judge George R. Robertson dated January 6, 1994, should be, and hereby is, affirmed in all respects.

IT IS SO ORDERED.

Dated this ____ day of May, 1994.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

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